



## **CJIS Board Meeting Minutes**

**December 11, 2008 – 3:30 PM- 5:00 PM**

**Chief Justice's Office ~ 1<sup>st</sup> Floor, Supreme Court**

### **Attendees:**

Chuck Placek, Nancy Walz, Chief Justice Gerald VandeWalle, Lisa Feldner, Pam Schafer, Amy Vorachek, Leann Bertsch, Thomas L. Trenbeath, Brandi Fagerland, Sue Davenport, Janelle Moos, and Chris Lipsh

### **➤ Approve minutes**

- Chief made a motion to approve the minutes. Tom seconds. Minutes approved.

### **SAVIN Executive Steering Committee**

#### **➤ SAVIN Executive Steering Committee Meeting Section**

- Amy introduced Janelle Moos, Director of NDCAWS and Chris Lipsh, Walsh County Victim Witness Coordinator; representing NDVAA.
  - Janelle has reviewed the proposed amendments to the Fair Treatment Standards. Janelle stated they use the current Fair Treatment Standards as a framework for their services. It appears the proposed amendments do not include a provision for victims who wish to opt out of registering. Chief asked what happens if the bulk says they don't want to register and the program is destroyed. Is there a way a victim could choose an agency to register and in turn have the agency notify the victim? Chief does not have an objection to this. Is it being suggested that agencies want to register for those who don't want to register as well? Janelle suggested adding language to the definition of "victim" to include "registered victim". Chief asked how other states view this issue. Janelle doesn't know from the coalition's standpoint. She would be willing to ask other states for their experience on the topic.
  - Chris explained how NDVAA members have different responses to the proposed amendments. He added that NDVAA fully supports SAVIN. However some victims don't have a cell phone or computer. If an agency can register, victims could come to them for that info. NDCC 12.1.34 has been their bill of rights and some victim witness staff do not want changes to this law. They want to empower the victim with SAVIN. Chief said if they decided not to register individually, they

could have the agency notify them. Chris agrees that SAVIN could work with agencies to assist in providing notification; he sees SAVIN as a collaboration of us all. With grant money tight, SAVIN can be used to save the cost of mailings and such plus allow staff to spend more time on providing direct services. The point was brought up that some counties don't provide direct services. Chief's perception is that SAVIN will help some of these agencies who haven't been doing what they should be. If they understand that they are not responsible for notifying each victim individually, they may assist SAVIN with getting the notice out. Amy talked about a victim survey that was done years ago; a question was included asking victims at what point in the criminal justice process were they first contacted with information regarding their case? It was alarming how many responded that post-sentencing services was the first time they knew of anything happening to their case.

- Chuck said we have lost some of our funding. One problem is that victim witness programs are not in every county. High profile cases at times have to look to neighboring counties for assistance. SAVIN will provide the backbone. Notification is a task driven piece that will free up the time for providing safety plans and one-on-one services. It does require everyone to work together. Chief asks Chuck if he objects to what Chris and Janelle are asking for. Some agencies may not be able to take that responsibility on. Janelle believes it would come down to a resource problem. He wanted it to be seamless and make sure nobody falls through the cracks. Chief is most concerned about the victims who cannot register for safety reasons. Chief asks instead of taking words out, can the agencies have a policy that says they are going to use SAVIN first. The last paragraph takes control and states agencies shall comply with SAVIN. Leann reminded all of one issue from law enforcement, a lot of those agencies are not able to comply because they have no clue where the victim is. This puts the ball in the victim's court if they want to be notified. We should have language that the agency can register on behalf of the victim. We need to take the responsibility off of law enforcement and others. This gives all victims, in ND, the opportunity to get notification.
- Tom asked where we want to go with this. Chief understands the concept. If there are going to be amendments to the bill, it needs to be in amendment form so we could look at them. Leann agreed this is a good idea. Chief reminded it would be tough for an agency to have

a list who SAVIN notifies, another list for agency notifications, and a list for some other way to notify victims. Chris talked to agencies in MN and KY and they provide automated service on all notifications. In Kentucky SAVIN has given the agencies opportunities to provide more services. In Minnesota, they say it works when the victim wants to use it. Janelle talked about the amendments mentioned in previous CJIS minutes. Janelle would like to see some of the details added back in such as what types of notices are going to be taken care of by SAVIN. Under current law it's listed out better, the amendments take this away. Pam said the Judiciary Committee voted on that bill draft and some of the language Janelle is referring to was over-struck and inserted elsewhere as there was some redundancy. Amy would like feedback but reminded everyone we have a short time-frame. Nancy asked if SAVIN has a field for "on behalf of." Amy said it does not. Chuck asked if Apriss can show they are doing direct notification by the agency. Could SAVIN keep track of this type of information? Amy was unsure of this. Victims have to register or find someone who will register on their behalf. Chris and Janelle will review the draft and make suggestions for amendments to the bill. Chris added that he will testify for his organization. Amy would like to go in January on the same page or in the very least come together on issues where we can realizing we may not agree on all amendment changes. Chief agreed. This bill could be scheduled as early as the first week in January. Janelle and Chris will have their proposed changes to the bill draft submitted to Amy by December 29<sup>th</sup> at the latest and she will provide the board the suggestions. This is HB 1041. If legislative council sees how our changes could fit in, such as listing out the types of notices, they could add to it. A little redundancy is ok.

- Project Schedule Status
  - Amy presented the Large Project Oversight Quarterly Status Report. She plans on using this to serve as the monthly report to the CJIS Executive Committee as well. Project is on track.
  - The SAVIN Executive Steering Committee agrees this report is acceptable to use for monthly reporting.
- Pam noted code states agencies shall cooperate with SAVIN to "integrate" however there are no repercussions. What happens when agencies say no? Chief said if this situation comes up, you can get a court order to make them do it. Nancy asked if they have the opportunity to opt out as an agency. Chief would never go that far as this would take away from the



victim. SAVIN provides the access to information. If they want the Sheriff to notify them, they could fall through the cracks. Chuck said some people do not have notification until the person is incarcerated.

## CJIS Board Meeting

### ➤ CJIS Project Status - Pam

- Portal implementation is scheduled for Monday. The portal pages are not changing; just the technology behind it is changing. It is scheduled to be down December 16<sup>th</sup> for 6 hours and users have been notified. After implementation, the interface with Bismarck PD project will start.
- Darin is still working on developing the State's Attorney survey. Darin and Gordon are scheduled to meet with the AG's staff to work on improving electronic disposition collection.

### ➤ State Radio Update – Lisa

- Lisa gave an update on State Radio. We have a small committee meeting on incorporating the message board into the CJIS hub. Right now, if they are in their car, they can log in to everything (CJIS Portal) except Federal information. Now they want to log into CJIS and get both. The General agreed and has informed State Radio. Chief said State Radio is the gatekeeper today. Does this take away from them? Pam answered, yes. State Radio still owns it but it can be accessed through CJIS. Gordon is helping technically. Jerry Fossum (ITD), Glen Rutherford (ITD), Gordon (CJIS), Larry Ruebel (State Radio) and Jim Boehm (State Radio) will be meeting in regard to the project. Chief asked if it would be this budget or after? Lisa said it will depend on the findings from the committee working on the details and how complicated it is. Chief thought the cost was still staying with State Radio and access to information is for CJIS to cover.

### ➤ Governor's Budget – Lisa

- CJIS budget originally asked for \$2,000,000, base was \$1.3 million. In the end we were shorted about \$300,000 from what we asked for. It appears CJIS will have a carryover of \$500,000 to \$600,000. In April, we will need to have discussions with OMB on carryover. Chief thought it is tough unless it is special funds. Pam said we will have to go through the process. Chief said we could also tell appropriations that the money went back and we need it re-appropriated. Chief had to do that for Case Management. Chief asked Pam what her justification will be. Pam said it is the fact that we didn't have the resources to do the IT projects. Pam has not given an estimate of what will be returned. Dan Sipes, ITD accounting, will be doing that as it is still

early. Tom suggests working on that as soon as possible. Chief asks Lisa about Pam's plan for carryover. Pam said it goes with OMB not the legislators. Lisa talked to Mike Ressler prior and he thought CJIS should carry it over. Chief noted it is good that he didn't estimate it as going back.

- SAVIN budget was approved as is.
- Motorola Contract to implement Cruiser upgrade for Calls for Service - Pam explained the need for calls for service option from police cars. Three entities requested this upgrade. Motorola issued a contract for \$20,000. The Executive Committee voted and agreed it would be a good feature and it would come from the budget surplus. They also felt it would be in good faith to provide that functionality to the agencies. Smaller agencies have problems with dispatch service. Chief motions to approve pursuing the contract and negotiations with Motorola. Tom Seconds. Motion approved.
- Increase in rates for Senior Developer rates from \$63-75 per hour prior to July 2009
  - Top-ranked ITD developers. They've asked if it would be ok to bill at the increased rate. Chief said if we have the money there is no objection. Tom agrees.
- Next Meeting January 14, 2008. We will need to move it around the amendment proposal from Janelle and Chris.
- Meeting adjourned 5:04pm